

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

JAMES LEGROS, SR.; and)	
JACQUELINE MILIOTO, as next friend to)	
D.M., a minor, as next of kin of)	
JAMES LEGROS, JR., deceased,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 18-CV-261-RAW
)	
BOARD OF COUNTY COMMISSIONERS)	
FOR CHOCTAW COUNTY, et al.,)	
)	
Defendants.)	

**DEFENDANTS' JOINT MOTION TO WITHDRAW OBJECTION TO
PLAINTIFFS' MOTION FOR LEAVE TO AMEND**

COME NOW Defendants Board of County Commissioners for Choctaw County; Terry Park, in his individual and official capacities; Edna Casey, in her individual and official capacities; Schonna Smith, in her individual capacity; Jeffrey Epley, in his individual capacity; Stewart Stanfield, in his individual capacity; Zach Dillishaw, in his individual capacity; and Debora Clay, in her individual capacity, jointly, and hereby request this Court enter an order allowing them to withdraw their objection to Plaintiffs' Motion for Leave to File Second Amended Complaint to Substitute James Legros, Sr. as Personal Representative of the Estate of James Legros, Jr., as a Plaintiff. (Doc. 104). In support hereof, Defendants show the Court as follows:

On August 29, 2019, Plaintiffs filed their Motion for Leave to File Second Amended Complaint to Substitute James Legros, Sr. as Personal Representative of the Estate of James Legros, Jr., as a Plaintiff (Doc. 104), to which all Defendants objected. Since that time, the parties have engaged in meaningful settlement negotiations and an agreement has been reached.

Defendants respectfully wish to withdraw their objection to Plaintiffs' Motion for Leave to File Second Amended Complaint and to allow Plaintiffs to substitute James Legros Sr., as Personal Representative of the Estate of James Legros, Jr., as the sole Plaintiff in order to facilitate the settlement agreement among the parties.

Plaintiffs do not object to Defendants' withdrawal of their objection. As discussed herein, the parties have reached a settlement agreement; thus, this withdrawal will not impact any deadlines or the scheduled trial. A proposed Order granting same is submitted contemporaneously herewith.

WHEREFORE, premises considered, Defendants respectfully request this Court enter an Order allowing the Defendants to withdraw their objection to Plaintiffs' Motion for Leave to File Second Amended Complaint and allow Plaintiffs to substitute James Legros, Sr. as Personal Representative of the Estate of James Legros, Jr., as the Plaintiff in this matter.

Respectfully submitted,

s/ Jessica L. Dark

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Attorneys for Defendant Edna Casey

CERTIFICATE OF SERVICE

I hereby certify that on the 9th of September, 2019, I electronically transmitted the above and foregoing document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Chris Hammons

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s/ Jessica L. Dark

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